

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1512 – HB 2192

March 27, 2018

SUMMARY OF ORIGINAL BILL: Requires a law enforcement booking agency to determine if an arrested person is the parent or legal custodian of any children under the age of eighteen, who the child's next of kin is, and who has physical custody of each child while the person is in law enforcement custody. Requires booking agencies to develop procedures for notifying the Department of Children's Services (DCS) to initiate a child welfare check based on the information provided by arrested person. Requires DCS, through Child Protective Services (CPS), to conduct a welfare check when notified by booking agency.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – Exceeds \$17,577,100

Increase Federal Expenditures – Exceeds \$14,171,200

SUMMARY OF AMENDMENT (016130): Deletes all language after the enacting clause. Requires a law enforcement agency to determine if an arrested person is the parent or legal custodian of any children that will be left unattended by the person's arrest and whether the child or children will be endangered by the parent or legal custodian's absence following an arrest.

Requires law enforcement agencies to develop policies and procedures for conducting welfare checks on any children identified by the arrested person that are determined to be endangered.

Authorizes the welfare check to be performed by the arresting agency or another agency responsible for ensuring the safety and welfare of children.

Establishes that no arresting law enforcement agency or its personnel shall be civilly liable in the event the arrested person fails to inform the arresting law enforcement agency of any endangered children.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

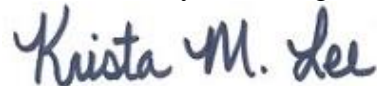
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Assumptions for the bill as amended:

- Child welfare checks are currently conducted by local law enforcement agencies as part of their authorized duties.
- Passage of this legislation will not significantly increase the number of child welfare checks that local law enforcement conduct as officers will determine if a welfare check is necessary based on the information provided by the arrested person.
- Agencies can develop the required policies and procedures associated with conducting welfare checks utilizing existing resources.
- Any increase in local expenditures is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/vlh